

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400



PATENT MAINTENANCE
DIVISION

PATENT APPLICATION

ATTORNEY DOCKET NO. 10004958-1

IN THE 2006 JUL -3 11 2:29
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Richard L. Gardner et al.

Application No.: 09/886,444

Filing Date: June 21, 2001

US PATENT & TRADEMARK
OFFICE Confirmation No.: 5764
Examiner: K. Brown

Group Art Unit: 2877

RECEIVED

Title: AUTOMATED IMAGING WITH PHOSPHORESCENT IMAGING TARGETS

JUL 11 2006

OFFICE OF PETITIONS

Mail Stop Petition
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137 (a)**

1. Applicant petitions for the revival of the above-identified application.

2. Nature of Abandonment:

☒ In an office communication from the PTO dated 06-30-2004, the undersigned has noted that the above-identified application is being forwarded to the Abandoned Files because applicant's response to the Official Action mailed 11-24-2003 has not been received within the statutory period or any extension requested therefor.

☐ The undersigned has reviewed his records and noted that the response to the Official Action mailed _____ was not timely filed within the statutory period or any extension requested therefor.

3. Response filed:

The proposed response to the Official Action dated 06-30-2004.

☒ has been filed on 08-10-2004.

☐ is enclosed herewith.

4. ☒ Enclosed herewith is an adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137 (a) was unavoidable.

5. Terminal disclaimer 37 CFR 1.137 (c):

☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer and disclaimer fee of \$130.00 disclaiming a period of equivalent to the period for abandonment is enclosed herewith.

Charge \$ 500.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV568253845US, in an envelope addressed to: MS Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: June 27, 2006

Typed Name: Donna Forbit

Signature: Donna Forbit

Respectfully submitted,

Richard L. Gardner et al.

By Michael J. Fogarty III

Michael J. Fogarty, III

Attorney/Agent for Applicant(s)

Reg No. : 42,541

Date : June 27, 2006

Telephone : 214-855-8172

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